

In re Patent Application of:
STEVEN HILL
Serial No. 10/761,338
Filed: JANUARY 22, 2004

REMARKS

Prior to the present amendment, claims 1-29, 34 and 35 were pending. By the foregoing amendments, which include the cancellation of claim 23, claims 1-22, 24-29, 34 and 35 are currently pending. Of these currently pending claims, claims 4 and 5 have been withdrawn as being drawn to a non-elected species. Reconsideration of this application, in light of the foregoing amendments and following remarks is respectfully requested.

Claims 1 to 3, 6 to 29, 34 and 35 have been rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Application No. 2004/013668 (Drewery et al) in view of United States Patent Application No. 2002/0126724 (Tsunekane et al).

Claims 3, 8 and 12 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for containing the phrase "and/or". Claim 28 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for containing the words "small" and "short".

The drawings have been objected to as failing to comply with 37 CFR 1.84(p)(4) for incorrectly identifying the SRSO film by reference numeral 69, and under 37 CFR 1.83(a) for failing to show every feature defined in the claims.

The specification and claims have been objected to for containing several informalities.

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The claims of the application have been amended to overcome the objections and to better define the invention. In particular, the phrase "and/or" has been replaced by the word "or" in claims 3, 8 and 12. The phrase in claim 12 starting with: "where the at least one waveguide" has been amended to include "is to be defined" to more clearly define the REDGIVN material. The typographical error ("an lens") in claim 27 has been corrected. The terms "small" and "short" have been deleted from claim 28. Claim 28 has also been amended to include a definition of the term "F#", i.e. the ratio of the focal length of the lens to the lens diameter, as is well known in the art. Claim 29 has been amended to correctly identify the combiner as "a single micro-reflector or multiple micro-reflectors". Similarly, claim 21 has been amended to correctly identify the LED as "of a single wavelength or of multiple wavelengths". Claim 29 has also been amended to correct the phrase: "effectively couple the light signals". Claim 35 has been amended in accordance with the Examiner's latter suggestion. Applicant believes that the wording of claim 6 is correct, since the verb "activate" refers to the noun "nanocrystals", which is plural.

To obviate the rejection of claims 1-3, 6-29, 34 and 35 under 35 U.S.C. § 103(a), attached is a declaration under 37 CFR § 1.131, by the inventor to effectively antedate the Drewery reference. With removal of this reference as statutory prior art, withdrawal of the rejection is respectfully requested.

The specification has been amended to correct the typographical errors detailed in the office action in accordance with the Examiner's suggestions. Furthermore, the

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symbol F# has been clearly defined as a ratio of the lens focal length to the lens diameter, as is known in the art. Reference numeral 64 has been replaced by reference numeral 69 on page 18, line 25 of the description, thereby traversing the objection to Figure 4. In addition, several other minor amendments have been made to the specification to ensure reference numerals are used to identify the correct element.

In Figure 3, the second occurrence of reference numeral 42 has been replaced by reference numeral 40. Figure 4 has been amended to correctly identify the micro lens by reference numeral 42. Figures 6 and 7 have been added, and page 20 of the description has been amended to provide clearer support for the holographic optical element defined in newly amended claim 22 and original claim 24. Claim 23 has been cancelled. The new Figures 6 and 7 illustrate different embodiments of the combiner, defined in claim 25; however, original Figures 3 and 4 illustrated a combiner in the form of the reflection chamber 53.

As such, it is respectfully submitted that all of the claims remaining in the application are in condition for allowance. Early and favorable consideration would be appreciated.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to

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Respectfully submitted,

/Charles Edmund Wands/

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